

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

MATTHEW BERNARD BOTEIN

Plaintiff

v.

Civil Action No.:
1:14-CV-10405-RWZ

**UNITED STATES CUSTOMS AND BORDER
PROTECTION**

Defendant

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Carmen M. Ortiz
U.S. State Attorney
John Joseph Moakley United States Federal Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daryl DeValerio Andrews, Esq.
Berman DeValerio
One Liberty Square
Boston, MA 02109

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT M. FARRELL

CLERK OF COURT

/s/ – Clarilde M Geraldino–Karasek

Signature of Clerk or Deputy Clerk



ISSUED ON 2014-02-25 12:49:31.0, Acting Clerk USDC DMA

Civil Action No.: **1:14-CV-10405-RWZ**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Carmen M. Ortiz, U.S. Attorney
was received by me on (date) 2/27/2014.

☐ I personally served the summons on the individual at (place) _____
_____ on (date) _____; or

☐ I left the summons at the individuals residence or usual place of abode with (name) _____
_____, a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individuals last known address; or

☐ I served the summons on (name of individual) _____, who is
designated by law to accept service of process on behalf of (name of organization) _____
_____ on (date) _____; or

☐ I returned the summons unexecuted because _____; or
Plaintiff's counsel certifies that pursuant to Fed.R.Civ.P. 4(i) a copy of the Complaint and
☒ Other (specify) : Summons was served via Certified Mail on U.S. Attorney Carmen M. Ortiz at U.S.
District Court, Boston, MA (proof of service attached).

My fees are \$ n/a for travel and \$ 7.19 for services, for a total of \$ 7.19.

I declare under penalty of perjury that this information is true.

3/26/2014

Date

/s/ Daryl DeValerio Andrews

Server's Signature

Daryl DeValerio Andrews, Attorney (BBO #658523)

Printed name and title

Berman DeValerio
One Liberty Square
Boston, MA 02109

Server's Address

Additional information regarding attempted service, etc:

Plaintiff's counsel further certifies that pursuant to Fed. R. Civ. P. 4(i) copies of the Complaint and Summons were served via Certified Mail on: Civil Process Clerk, U.S. Attorney, U.S. District Court, Boston, MA (proof of service attached); Thomas S. Winkowski, Acting Commr., U.S. Customs and Border Protection, Washington, D.C. (proof of service attached); Scott K. Falk, Chief Counsel, U.S. Customs and Border Protection, Washington, D.C. (proof of service attached); and Eric H. Holder, Jr., U.S. Attorney General, U.S. Dept. of Justice, Washington, D.C. (proof of service attached).

Certified Mail fees incurred for the above-mentioned service are \$28.97.

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Carmen M. Ortiz
 U.S. State Attorney
 John Joseph Moakley United States Federal
 Courthouse
 1 Courthouse Way, Suite 9200
 Boston, MA 02210

2. Article Number
 (Transfer from service label)

7012 2920 0000 4913 9719

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

C. Martin☒ Agent☐ Addressee

B. Received by (Printed Name)

Gerard Martin

C. Date of Delivery

*2/28/14*D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes**U.S. Postal Service™****CERTIFIED MAIL™ RECEIPT**

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For delivery information visit our website at www.usps.com®**OFFICIAL USE**

Postage

\$ 1.19

Certified Fee

3.30

Return Receipt Fee
(Endorsement Required)

2.70

Restricted Delivery Fee
(Endorsement Required)

7.19

Total Postage & Fees \$

Postmark
Here*2/27/2014*

Sent

Carmen M. Ortiz

U.S. State Attorney

Street

John Joseph Moakley United States Federal

City

Courthouse

1 Courthouse Way, Suite 9200

PSF

Boston, MA 02210

Instructions

7012 2920 0000 4913 9719

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <u>John</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Civil – Process Clerk U.S. State Attorney John Joseph Moakley United States Federal Courthouse 1 Courthouse Way, Suite 9200 Boston, MA 02210		B. Received by (Printed Name) <u>U.S. ATTORNEY</u> C. Date of Delivery <u>16 FEB 27 PM 11:03</u>	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below:	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service)		<u>7012 2920 0000 4913 9702</u>	
PS Form 3811, July 2013		Domestic Return Receipt	

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For delivery information visit our website at www.usps.com	
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Postage	\$ <u>1.40</u>
Certified Fee	<u>3.30</u>
Return Receipt Fee (Endorsement Required)	<u>2.70</u>
Restricted Delivery Fee (Endorsement Required)	<u>7.40</u>
Total Post	<u>14.80</u>
Sent To	Civil – Process Clerk U.S. State Attorney John Joseph Moakley United States Federal Courthouse 1 Courthouse Way, Suite 9200 Boston, MA 02210
Street, Apt., or PO Box	
City, State, Zip	
PS Form 3800, August 2006 See Reverse for Instructions	

Postmark Here
2/26/2014

7012 2920 0000 4913 9702

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Tracking Number: 70122920000049139726

Product & Tracking Information

Available Actions

Postal Product:

Features:

Certified Mail™

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
March 4, 2014 , 7:29 am	Delivered	WASHINGTON, DC 20229
March 3, 2014 , 10:21 am	Available for Pickup	WASHINGTON, DC 20229
March 3, 2014 , 10:00 am	Sorting Complete	WASHINGTON, DC 20018
March 3, 2014 , 9:38 am	Arrival at Unit	WASHINGTON, DC 20018
February 27, 2014 , 11:59 pm	Processed through USPS Sort Facility	BOSTON, MA 02205
February 27, 2014	Depart USPS Sort Facility	BOSTON, MA 02205

Track Another Package

What's your tracking (or receipt) number?

Track It

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Postage	\$ 1.19	Postmark Here 2/27/2014
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)	7.19	
Total Postage & Fees	14.38	
U.S. Customs and Border Protection		
Sent To: Thomas S. Winkowski		
Acting Commissioner		
1300 Pennsylvania Avenue, N.W.		
Washington, D.C. 20229		



English

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Find USPS Locations

Buy Stamps

Schedule a Pickup

Calculate a Price

Look Up a ZIP Code™

Hold Mail

Change of Address



Customer Service ›

Have questions? We're here to help.

Tracking Number: 70122920000049139696

Product & Tracking Information

Available Actions

Postal Product:

Features:

Certified Mail™

Email Updates

DATE & TIME	STATUS & EVENT	LOCATION
March 4, 2014, 7:29 am	Delivered	WASHINGTON, DC 20229
March 2, 2014, 1:31 pm	Available for Pickup	WASHINGTON, DC 20229
March 2, 2014, 1:30 pm	Available for Pickup	WASHINGTON, DC 20229
March 2, 2014, 1:17 pm	Arrival at Hub	WASHINGTON, DC 20018
February 27, 2014	Depart USPS Sort Facility	BOSTON, MA 02205
February 27, 2014, 12:15 am	Processed through USPS Sort Facility	BOSTON, MA 02205
February 26, 2014, 11:59 pm	Processed through USPS Sort Facility	BOSTON, MA 02205

Track Another Package

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Track It

LEGAL

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.19
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	7.19
Total:	14.38

Postmark
Here

2/26/2014

Sent To
U.S. Customs and Border Protection
Office of Chief Counsel
Scott K. Falk, Chief Counsel
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

PS Form 3800, August 2006

See Reverse for Instructions



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1. Article Addressed to:

Eric H. Holder, Jr.
 Attorney General
 Office of the Attorney General
 U.S. Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

2. Article Number

(Transfer from service label)

7012 2920 0000 4913 9689

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

MAR 07 2014

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

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Postage

\$ 1.19

Certified Fee

3.30

Return Receipt Fee
(Endorsement Required)

2.70

Restricted Delivery Fee
(Endorsement Required)

7.19

Total

Total Postage Eric H. Holder, Jr.

Sent To

Attorney General

Office of the Attorney General

Street, Apt. No.,
or PO Box No.

U.S. Department of Justice

City, State, ZIP+

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Postmark
Here

2/26/2014

PS Form 3800, August 2006

See Reverse for Instructions

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent to those indicated as non-registered participants on March 26, 2014.

Dated: March 26, 2014

/s/ Daryl DeValerio Andrews
Daryl DeValerio Andrews (BBO #658523)